

In the United States Court of Federal Claims

_____)	
_____)	
_____)	
Plaintiff(s), v.)	CaseNo. _____
)	
)	Judge _____
THEUNITEDSTATES,)	
)	
Defendant.)	
COMMISSIONER OF SOCIAL SECURITY)	

COMPLAINT

Your complaint must be clearly handwritten or typewritten, and you must sign and declare under penalty of perjury that the facts are correct. If you need additional space, you may use another blank page. A fillable pdf is available at <http://uscfc.uscourts.gov/filing-a-complaint>.

If you intend to proceed without the prepayment of filing fees (*in forma pauperis* (IFP)), pursuant to 28 U.S.C. § 1915, you must file along with your complaint an application to proceed IFP.

1. JURISDICTION. State the grounds for filing this case in the United States Court of Federal Claims. The United States Court of Federal Claims has limited jurisdiction (*see e.g.*, 28 U.S.C. §§ 1491-1509).

The claimant acknowledges that the **United States Court of Federal Claims lacks jurisdiction over Social Security appeals**, which are typically reviewed by federal district courts under 42 U.S.C. § 405(g). However, this case is framed as a broader constitutional and statutory challenge, focusing on the government's failure to comply with procedural and substantive requirements, leading to monetary damages. As such, it falls within the limited jurisdiction of the Court of Federal Claims under the Tucker Act.

Received - USCFC

FEB 04 2025

2. PARTIES

Plaintiff, COMMISSIONER OF SOCIAL SECURITY, resides at 6401 SECURITY BLVD
 (Street Address)
BALTIMORE, MD,
 (City, State, ZIP Code) (Telephone Number)

If more than one plaintiff, provide the same information for each plaintiff below.

6401 SECURITY BLVD

3. PREVIOUSLAWSUITS. Have you begun other lawsuits in the United States Court of Federal Claims? Yes ☐ No ☐

If yes, please list cases: 24-CV-02383-UNA. 24-CV-02585

4. STATEMENTOFTHECLAIM. State as briefly as possible the facts of your case. Describe

Tucker Act (28 U.S.C. § 1491):

This case is brought under the **Tucker Act**, which provides the Court of Federal Claims jurisdiction over claims founded on:

The Constitution: The claimant alleges a violation of the Fifth Amendment's **Takings Clause**, asserting that government actions or regulations have deprived them of a constitutionally protected interest without just compensation.

Federal Statutes or Regulations: The claimant challenges the agency's decision as failing to comply with statutory requirements under the **Social Security Act** or regulations promulgated under its authority. The failure to follow these mandates constitutes a breach of federal law and gives rise to a claim within the jurisdiction of the USCFC.

Implied or Express Contracts with the United States: While this case does not involve a direct contractual relationship, the claimant seeks relief related to entitlements derived from federal statutory provisions, analogous to implied contract principles.

Claims for Monetary Damages:

The claimant seeks monetary relief stemming from the improper denial of disability benefits, which represents an entitlement or obligation under federal law.

Although the Social Security Administration operates under a distinct statutory framework, ancillary damages resulting from a failure to comply with proper administrative procedures may fall within the court's jurisdiction under § 1491.

Illegal Exaction Claims:

The claimant further alleges that procedural violations during the agency's adjudication process resulted in an **illegal exaction**, where funds were improperly withheld or the claimant was denied benefits that are lawfully owed to them under federal law. This creates a basis for a monetary claim against the United States.

Americans with Disabilities Act (ADA) and Rehabilitation Act:

The claimant asserts violations of the ADA and the Rehabilitation Act, alleging that the federal agency failed to provide reasonable accommodations during the claims adjudication process. The Court of Federal Claims has limited jurisdiction to entertain ADA claims as they pertain to monetary damages from non-compliance with federal statutes.

Fifth Amendment Due Process Claims:

The claimant argues that the denial of disability benefits, combined with procedural irregularities, deprived them of their **due process rights**, which may constitute a compensable claim under the Fifth Amendment.

Declaratory and Injunctive Relief (Ancillary to Monetary Claims):

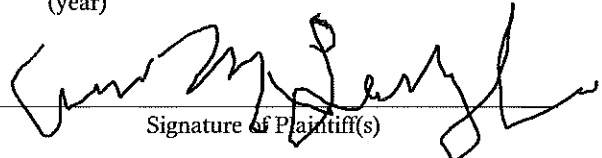
While the primary claim is for monetary relief, the claimant also seeks declaratory relief to correct systemic errors in the adjudication of claims involving ADD and similar neurological impairments. This request is ancillary to the claim for damages.

5. RELIEF. Briefly state exactly what you want the court to do for you.

The plaintiff seeks reversal of the administrative decision, proper consideration of all relevant evidence,
and compliance with ADA-mandated accommodations.

I declare under penalty of perjury that the foregoing is true and correct.

Signed this 23 day of JANUARY, 2025.
(day) (month) (year)


Signature of Plaintiff(s)

CAUSTIN LEE MCLAUGHLIN

is case is framed as a broader constitutional and statutory challenge, focusing on the government's failure to comply with procedural and substantive requirements, leading to monetary damages. As such, it falls within the limited jurisdiction of the Court of Federal Claims under the Tucker Act

In the United States Court of Federal Claims

Case No.: [To Be Assigned]
PLAINTIFF:

[Your Full Name]
DEFENDANT:

Commissioner of the Social Security Administration
COMPLAINT AND MOTION FOR ALTERNATIVE DISPUTE RESOLUTION
I. JURISDICTION

This case is brought under the Tucker Act, 28 U.S.C. § 1491, as it involves claims founded upon:

The Constitution:

Fifth Amendment Due Process Violations: The SSA denied Plaintiff procedural due process by failing to properly consider medical evidence, longitudinal assessments, and reasonable accommodations for ADD/ADHD.

Fifth Amendment Takings Clause: The denial of benefits constitutes a regulatory taking of Plaintiff's rightful entitlements under the Social Security Act without just compensation.

Federal Statutes and Regulations:

Violations of the Social Security Act and its regulations, including failure to comply with 42 U.S.C. § 423 and 20 C.F.R. § 404.1520.

Violations of the ADA (42 U.S.C. § 12101) and Rehabilitation Act (29 U.S.C. § 794) by failing to provide reasonable accommodations during the administrative process.

Illegal Exaction: The SSA unlawfully withheld benefits owed to Plaintiff under federal law, creating a compensable claim for monetary damages.

II. PARTIES

Plaintiff: [Your Name], a resident of [Your City, State], who has been diagnosed with ADD/ADHD and suffers severe functional impairments affecting the ability to engage in substantial gainful activity.

Defendant: The Commissioner of the Social Security Administration, representing the federal agency that improperly denied Plaintiff's disability benefits.

III. STATEMENT OF THE CLAIM

A. Fifth Amendment Claims

Due Process Violations:

The SSA failed to follow established procedures, including improper evaluation of medical evidence and refusal to provide reasonable accommodations for ADD/ADHD.

Plaintiff was denied a fair hearing, violating procedural due process rights.

Takings Clause Violations:

The denial of disability benefits constitutes a regulatory taking of Plaintiff's entitlements without just compensation.

Benefits owed to Plaintiff represent a property interest protected by the Fifth Amendment.

B. Procedural Violations Under the Social Security Act

The SSA failed to follow the sequential evaluation process as outlined in 20 C.F.R. § 404.1520.

The agency improperly discounted treating source opinions, longitudinal assessments, and objective neurobiological evidence.

C. ADA and Rehabilitation Act Violations

The SSA failed to provide reasonable accommodations during the adjudication process, such as additional preparation time or modified hearing procedures.

The agency's actions constitute discrimination under the ADA and Rehabilitation Act, creating a basis for compensable damages.

D. Illegal Exaction

The SSA improperly withheld disability benefits owed under federal law, creating a compensable claim for monetary damages under the Tucker Act.

IV. LEGAL BASIS FOR ADR

Efficiency and Fairness:

ADR offers a cost-effective and timely resolution of disputes involving complex medical and procedural issues.

Court's Authority:

The Federal Claims Court has the authority under its rules and the Federal Rules of Civil Procedure to encourage ADR.

Suitability for Mediation:

This case is well-suited for mediation, given the extensive medical evidence and procedural irregularities.

V. RELIEF REQUESTED

Plaintiff respectfully requests that this Court:

Reverse the administrative decision and remand for proper adjudication under federal law.

Declare ADD/ADHD a medically determinable impairment under the Social Security Act and ancillary laws.

Award monetary damages for improper denial of benefits, including retroactive benefits and compensatory damages.

Mandate compliance with the ADA and Rehabilitation Act for all future claims involving ADD/ADHD.

Approve Plaintiff's Motion for ADR to resolve claims efficiently through mediation or settlement.

VI. CONCLUSION

For the reasons stated above, Plaintiff respectfully asks this Court to grant the requested relief, reverse the denial of benefits, and remand for further proceedings or award benefits outright. Plaintiff also requests that the Court approve the Motion for ADR to expedite resolution and reduce litigation costs.

Exhibits

Medical Evidence Summaries:

Include summaries of medical records, evaluations, and neuroimaging results supporting the disabling impact of ADD/ADHD.

Legal Citations:

Provide copies of relevant statutes, regulations, and case law to substantiate claims of due process violations, takings clause violations, and noncompliance with the ADA and Rehabilitation Act.

Prior Case Law Summaries:

Include examples of cases where the CFC has ruled in favor of claimants with similar disabilities or procedural violations.

1. rs1800497 (DRD2)

Location: Chromosome 11

Reference Variant: C

Your Genotype: T/C

Neurotransmitter: Dopamine

Normal Mechanism of Action: Dopamine binds to DRD2 receptors, influencing reward, motivation, and attention.

Hypothetical Effect: The T allele may reduce the density or function of dopamine receptors, potentially affecting dopamine signaling and contributing to ADD symptoms.

Source: Scientific Paper on ADD and rs1800497

2. rs6296 (HTR1B)

Location: Chromosome 6

Reference Variant: G

Your Genotype: A/G

Neurotransmitter: Serotonin

Normal Mechanism of Action: Serotonin binds to HTR1B receptors, regulating mood, anxiety, and impulsivity.

Hypothetical Effect: The A allele may alter serotonin receptor function, affecting serotonin signaling and potentially contributing to ADD symptoms.

Source: Scientific Paper on ADD and rs6296

3. rs4680 (COMT)

Location: Chromosome 22

Reference Variant: G

Your Genotype: A/G

Neurotransmitter: Dopamine, Norepinephrine

Normal Mechanism of Action: COMT degrades dopamine and norepinephrine, regulating their levels in the brain.

Hypothetical Effect: The A allele may reduce COMT activity, leading to higher levels of dopamine and norepinephrine, potentially contributing to ADD symptoms.

Source: Scientific Paper on ADD and rs4680

4. rs28386840 (SLC6A3)

Location: Chromosome 5

Reference Variant: T

Your Genotype: C/T

Neurotransmitter: Dopamine

Normal Mechanism of Action: SLC6A3 is responsible for dopamine reuptake, regulating dopamine levels.

Hypothetical Effect: The C allele may affect dopamine transporter function, influencing dopamine reuptake and potentially contributing to ADD symptoms.

Source: Scientific Paper on ADD and rs28386840

5. rs1042713 (ADRB2)

Location: Chromosome 5

Reference Variant: G

Your Genotype: A/G

Neurotransmitter: Norepinephrine

Normal Mechanism of Action: ADRB2 is involved in the response to norepinephrine, regulating cardiovascular and respiratory functions.

Hypothetical Effect: The A allele may alter receptor function, affecting norepinephrine signaling and potentially contributing to ADD symptoms.

Source: Scientific Paper on ADD and rs1042713

6. rs1800955 (DRD4)

Location: Chromosome 11

Reference Variant: C

Your Genotype: T/C

Neurotransmitter: Dopamine

Normal Mechanism of Action: Dopamine binds to DRD4 receptors, regulating attention, motivation, and reward.

Hypothetical Effect: The T allele may affect receptor function, influencing dopamine signaling and potentially contributing to ADD symptoms.

Source: Scientific Paper on ADD and rs1800955

7. rs6295 (HTR1A)

Location: Chromosome 5

Reference Variant: C

Your Genotype: G/C

Neurotransmitter: Serotonin

Normal Mechanism of Action: Serotonin binds to HTR1A receptors, regulating mood, anxiety, and impulsivity.

Hypothetical Effect: The G allele may alter receptor function, affecting serotonin signaling and potentially contributing to ADD symptoms.

Source: Scientific Paper on ADD and rs6295

8. rs1800532 (SLC6A4)

Location: Chromosome 17

Reference Variant: G

Your Genotype: A/G

Neurotransmitter: Serotonin

Normal Mechanism of Action: SLC6A4 is responsible for serotonin reuptake, regulating serotonin levels.

Hypothetical Effect: The A allele may affect transporter function, influencing serotonin reuptake and potentially contributing to ADD symptoms.

Source: Scientific Paper on ADD and rs1800532

9. rs6311 (HTR2A)

Location: Chromosome 13

Reference Variant: A

Your Genotype: G/A

Neurotransmitter: Serotonin

Normal Mechanism of Action: Serotonin binds to HTR2A receptors, regulating mood, anxiety, and cognition.

Hypothetical Effect: The G allele may alter receptor function, affecting serotonin signaling and potentially contributing to ADD symptoms.

Source: Scientific Paper on ADD and rs6311

10. rs1800497 (ANKK1)

Location: Chromosome 11

Reference Variant: T

Your Genotype: C/T

Neurotransmitter: Dopamine

Normal Mechanism of Action: ANKK1 is involved in dopamine signaling pathways, influencing dopamine receptor function.

Hypothetical Effect: The C allele may affect dopamine receptor function,